

**Phase I Orientation Seminar
for Newly Appointed
District Judges**



**Redondo Beach, California
August 22-26, 2011**

The Federal Judicial Center
Presents a
Phase I Orientation Seminar for
Newly Appointed District Judges

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Honorable Barbara J. Rothstein
Director, Federal Judicial Center
Washington, DC

Bruce M. Clarke
Director, Education Division
Federal Judicial Center
Washington, DC

Elizabeth Lambert
Senior Judicial Education Attorney
Education Division
Federal Judicial Center
Washington, DC

Monday, August 22, 2011
Mezzanine

8:30 Greetings and Introductions

Bruce M. Clarke
Federal Judicial Center

Moderators

Honorable Anna J. Brown
District of Oregon

Honorable Gerald B. Lee
Eastern District of Virginia

9:00 A Word of Welcome to the Federal Judicial System — Video

Honorable John G. Roberts, Jr.
Chief Justice
Supreme Court of the United States

Honorable Barbara J. Rothstein
Director, Federal Judicial Center
U.S. District Judge, Western District of Washington

9:15 Case Management and the Civil Trial — Video

Honorable Marsha J. Pechman
Western District of Washington

Honorable Julie A. Robinson
District of Kansas

10:00 Intermission

10:15 Case Management Discussion: Judges Brown and Lee

Setting up chambers; managing workflow; use of technology; law clerk hiring; calendar management; written vs. oral decisions; judge as employer/manager of chambers staff.

11:45 Luncheon Intermission

1:15 Criminal Pretrial Proceedings-Video: Arraignment; appointment of counsel, including under the CJRA; appointment of investigators and experts under the CJRA; conflict of interest in co-defendant cases; *pro se* representation; bail; detention; scheduling and case management; discovery; *Brady* material; pretrial conference; stipulations; exhibit lists; Jencks Act Statements; motions practice; exclusionary rule; suppression motions; severance motions; plea bargaining.

Honorable Paul D. Borman
Eastern District of Michigan

Honorable Irma E. Gonzalez
Southern District of California

Honorable Sterling Johnson, Jr.
Eastern District of New York

Honorable Barbara J. Rothstein
Western District of Washington

2:45 **Intermission**

3:00 **Federal Rules of Evidence**

Cynthia E. Jones
Associate Professor
American University, Washington School of Law

4:30 **Intermission**

4:45 **Daily Wrap-Up Judges Brown and Lee**

5:15 **Adjournment**

6:00 **Reception — Splash Lounge**

6:30 **Dinner — Splash Lounge**

Tuesday, August 23, 2011
Mezzanine

8:30 **Voir Dire and Jury Selection — Video**

Honorable James M. Robertson
District of the District of Columbia

9:30 **Intermission**

9:45 **Trying Criminal Cases — Video**

Honorable Paul L. Friedman
District of the District of Columbia

11:15 **Intermission**

11:30 **Trying Criminal Cases Discussion Con't: Judges Brown and Lee**

12:00 **Intermission**

12:15 **Catered Luncheon — Presentation on Judicial Compensation and Benefits**
Ocean Room

Carol S. Sefren
Judges Compensation and Retirement Services Office
Office of Human Resources
Administrative Office of the U.S. Courts

1:15 **Intermission**

1:30 **Guideline Sentencing – Remarks by U.S.S.C. Chair**

The origin and evolution of Federal Sentencing Guidelines.

Presenter

Honorable Patti B. Saris

Chair, U.S. Sentencing Commission

District of Massachusetts

2:00 **Guideline Sentencing — Introduction and Overview**

Overview of basic guideline application,
sentencing scenario – drug trafficking guideline
and career offender (determining the offense level
and criminal history, sentencing adjustments).

Pamela G. Montgomery

Director and Chief Counsel

Office of Education and Sentencing Practice

U.S. Sentencing Commission

L. Russell (Rusty) Burress

Principal Training Advisor

U.S. Sentencing Commission

Comments

Judges Brown and Lee

3:15 **Intermission**

3:30 **Federal Sentencing**

Key Supreme Court cases; departures and
variances; mandatory minimums, substantial
assistance and safety valve; sentencing scenario:
immigration guideline and fast track departures
and variances.

Lecturers

Ms. Montgomery and Mr. Burress

Comments

Judges Brown and Lee

4:45 **Daily Wrap-Up Judges Brown and Lee**

5:15 **Adjournment**

Wednesday, August 24, 2011
Mezzanine

8:30 **“Speaking in Sentences”**
Discussion of the article “Speaking in Sentences” by the Honorable D. Brock Hornby, of the District of Maine and review of a sentencing transcript.

9:30 **Intermission**

9:45 **Taking Pleas— Panel Discussion**
Types of guilty pleas under Rule 11, the court’s responsibilities when taking a guilty plea.

Panelists

**Judge Brown, Mr. Burress,
Judge Lee and Ms. Montgomery**

10:15 **Guideline Sentencing: Key Guideline Provisions**
Selected Guideline provisions: fraud and theft guideline; child pornography guideline.

Lecturers

Ms. Montgomery and Mr. Burress

Comments

Judges Brown and Lee

11:15 **Intermission**

11:30 **Imposing the Sentence and Post Trial Matters**
Rule 32; Statement of Reasons Form; Sentencing Appeals; Rule 32.1 and Revocation of Probation and Supervised Release.

12:00 **Luncheon Intermission**

1:30 **Sentencing Scenarios** — Discussion of Sentencing Scenarios developed by the Honorable Robert Whaley, Eastern District of Washington.

3:15 **Intermission**

3:30 **A New Judge’s Perspective on the First Year of the Job**

Honorable Jacqueline Nguyen
Central District of California

4:30 **Daily Wrap up**

5:00 **Adjourn**

Thursday, August 25, 2011
Mezzanine

8:00 Preserving the Trust: Ethics and Federal Judges

Honorable M. Margaret McKeown
Ninth Circuit Court of Appeals

Robert P. Deyling
Office of the General Counsel
Administrative Office of the U.S. Courts

9:30 Intermission

9:45 Preserving the Trust: Ethics and Federal Judges (con't)

10:45 Intermission

11:00 Financial Disclosure Requirements and Solutions

George D. Reynolds
Article III Judges Division
Administrative Office of the U.S. Courts

12:00 Luncheon Intermission

1:00 Depart for Terminal Island FCI

1:30 Tour Terminal Island FCI

4:00 Depart Terminal Island FCI

5:00 Arrive at Hotel and Adjourn

Friday, August 26, 2011
Mezzanine

8:30 Judicial Demeanor and Courtroom Control — Video

9:30 Intermission

9:45 Judicial Security

Honorable Irma E. Gonzalez
Southern District of California

10:45 Final Wrap-up: Judges Brown and Lee

11:15 Adjournment

FJC Committee on District Judge Education

Honorable Paul J. Barbadoro, Chair
District of New Hampshire

Honorable Carol Bagley Amon
Eastern District of New York

Honorable Ginger Berrigan
Eastern District of Louisiana

Honorable Carol E. Jackson
Eastern District of Missouri

Honorable Marcia Krieger
District of Colorado

Honorable Loretta A. Preska
Southern District of New York

Honorable Kathryn Vratil
District of Kansas